



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-831-5508

November 17, 1998

David Doracz
Environmental Protection Division, Code 408
NETC PWD Bldg. 1
1 Simon Pietri Drive
Newport, RI 02841

RE: Soil Disposal, Naval Education and Training Center, Newport, Rhode Island

Dear Mr. Doracz,

The Rhode Island Department of Environmental Management, Office of Waste Management, was recently contacted concerning the existence of eight thousand cubic yards of "fill" material apparently generated by construction activities at NETC. DEM was informed that this material was characterized as clean fill by the Navy's contractor and was being offered free of charge to entities willing to accept it. The material subsequently underwent limited testing by a party interested in taking it and was found to be contaminated with arsenic in levels that exceeded the State's Industrial/Commercial criteria. The Office informed the interested party that based upon the information presented, the soil was considered to be contaminated.

At the time the Department was made aware of the above-mentioned soil, this Office had not received verbal or written notification from the Navy concerning the existence of this contaminated soil. Prior and subsequent to receiving the information concerning its existence, several individuals in this Office were canvassed by a representative from the Navy concerning the State's soil regulations. The questions posed by the Naval representative to the different individuals were essentially the same and dealt with the notification requirements for arsenic contaminated soil and the definition of clean fill.

Upon receipt of the above-mentioned information, this Office took the initiative and immediately contacted the Navy concerning the soils in question. The Navy acknowledged the existence of the soils and agreed to the requirements for characterization by this Office. These requirements included the submission of a report concerning the generation of the soils and their proper disposal.

As of this date, RIDEM has not received the requested report or any notification in writing concerning these soils. Please be advised that this report/notification must be submitted and that proper documentation of disposal is also required.

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In the future, we would prefer to be notified directly by your facility, rather than learning of the situation in the manner described above which clearly is inconsistent with appropriate notification procedures. Please send all correspondence concerning this matter to Paul Kulpa of this Office. Mr. Kulpa should also be contacted if you have any questions in regards to this matter. ←

Sincerely,



Warren S. Angell II, Supervising Engineer
Office of Waste Management

cc: Terrence Gray, Chief, DEM OWM
Leo Hellested, DEM OWM
Richard Gottlieb, DEM OWM
Paul Kulpa, DEM OWM